

An Act respecting Stamps on Law proceedings in this Province, and respecting also Stamps in lieu of Registration Duties in Lower Canada.

WHEREAS it is expedient that all Fees and Charges, payable to the Crown, for or upon any proceeding in this Act mentioned shall be made in the manner herein provided: Preamble.

Therefore, Her Majesty by and with the advice and consent of the Legislative Council and assembly of Canada, enacts as follows :

1. Upon, from and after the first day of next, Stamps either to be attached to or impressed upon any paper or parchment to be used in or for any proceeding as is herein provided, shall be issued by Order of the Governor in Council, and in such form as shall be thereby directed, corresponding in amounts to the different fees and charges which are due and payable to the Crown, under and by virtue of the following Consolidated Statutes for Upper Canada, that is to say: Chapters sixteen, nineteen, thirty-three and fifty, and section twenty-nine of chapter ten, and section eleven of chapter twelve, and under or by virtue of this act, or any other act or acts whatsoever in Upper Canada; and also Stamps to be issued by the Governor in Council, to be used in payment of dues to the Crown on legal proceedings.

2. Upon, from and after the first day of next no money shall be paid to or shall be received by any Court, or to or by the Officer of any Court, for any such sum so due and payable to the Crown, under any of the said Acts. No money to be received for such fees.

3. Upon, from and after the first day of next, no proceeding whatever upon which any fee or charge is due or payable to the Crown as aforesaid shall be issued or shall be received or acted upon by any Court or by any Officer of any court, until a Stamp under this Act for the sum corresponding in amount with the amount so due or payable to the Crown as aforesaid, for upon or in respect of such proceeding, and in lieu of such sum so due and payable to the Crown has been attached to or impressed upon the same. No such proceedings to be valid until dues are paid by stamps.

4. Every proceeding whatever, upon which any such fee or charge is due or payable to the Crown, as aforesaid, and which is not so duly stamped shall, if not afterwards stamped under the provisions of this act, be absolutely void for all purposes whatsoever. Proceedings not stamped to be void.

5. No Sheriff or other Officer or person shall serve or execute any proceeding, or the copy of any proceeding, upon which any such fee or charge is due or payable, and which is not duly stamped under this Act, and every such service and execution contrary to this Act shall be void, and no recompense shall be allowed therefor. Sheriff, &c., not to serve unstamped Proceedings.

6. No proceeding which may have been duly stamped for the purpose for which it may have been used, shall be considered as stamped for any other purpose, in case another fee or charge is due or payable thereon for any other or further use of the same proceeding. Proceedings to be stamped for each purpose for which a charge is payable.